

Jane Snell Brunner, Esq.  
Office of the Solicitor  
U.S. Department of Labor  
201 Varick Street, Room 983  
New York, New York 10014  
Tel. 212-337-2098  
Brunner 0494

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF PUERTO RICO

-----  
ELAINE L. CHAO, Secretary of Labor, :  
United States Department of Labor :

Plaintiff, :

v. :

Civil Action

HECTOR I. NIEVES TRANSPORT, INC., :  
a Corporation; and HECTOR I. NIEVES :  
RIVERA, Individually and as President; :  
and LUZ M. ROSENDO DE NIEVES, :  
Individually and as Secretary and :  
Treasurer, :

File No. 96-2479

(JAF)

Defendants :  
-----

**SUPPLEMENTAL JUDGMENT**

In the original Judgment in the above matter, this Court ordered "Defendants to submit all necessary employment records to the appropriate authorities in the Department of Labor so that they can determine what additional minimum wage, overtime compensation, and liquidated damages, if any, are due to the truck drivers for the period September 13, 1999, to the present [February 15, 2000]."

The Court has now received a Motion from Plaintiff which seeks a Supplemental Judgment concerning such additional backwages and liquidated damages. Having reviewed the matter, it is therefore for cause shown:

5

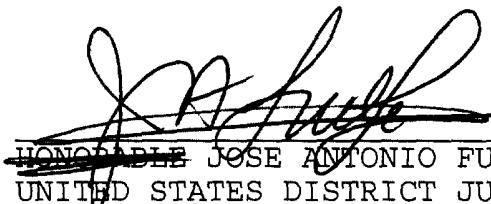
47

ORDERED, ADJUDGED, AND DECREED that, in addition to the backwages and liquidated damages found due to truck drivers in this Court's February 15, 2000, Judgment, additional backwages in a total amount of \$21,374.69, as specified in Appendix A (attached hereto and made a part hereof) plus an equal amount in liquidated damages are due to truck drivers for the period September 13, 1999, to February 15, 2000.

ORDERED, ADJUDGED, AND DECREED that the defendants are liable for such unpaid minimum wage and overtime compensation in the amount of \$21,374.69, plus an equal amount in liquidated damages, for a total additional amount of \$42,749.38.

ORDERED, ADJUDGED, AND DECREED that the defendants shall remit the total additional amount of \$42,749.38 to Plaintiff.

DATED:

  
HONORABLE JOSE ANTONIO FUSTE  
UNITED STATES DISTRICT JUDGE

*J mag 21/01*

HECTOR I. NIEVES TRANSPORT, INC.  
San Juan, Puerto Rico

	Week Ending	Wages	Hours	Rate/Hr.	OT Hrs. Worked	MW Due/Wk.	Total MW Due	OT Due	Total Due
Carrasquillo, Juan C.	09/16/1999	\$ 324.25	81	\$ 4.00	41	\$ 1.15	\$ 93.15	\$ 105.58	
Carrasquillo, Juan C.	09/23/1999	\$ 184.75	81	\$ 2.28	41	\$ 2.87	\$ 232.40	\$ 105.58	
Carrasquillo, Juan C.	09/30/1999	\$ 340.75	81	\$ 4.21	41	\$ 0.94	\$ 76.40	\$ 105.58	
Carrasquillo, Juan C.	10/07/1999	\$ 301.75	81	\$ 3.73	41	\$ 1.42	\$ 115.40	\$ 105.58	
Carrasquillo, Juan C.	10/14/1999	\$ 541.75	81	\$ 6.69	41		-	\$ 137.11	
Carrasquillo, Juan C.	10/21/1999	\$ 353.75	81	\$ 4.37	41	\$ 0.78	\$ 63.40	\$ 105.58	
Carrasquillo, Juan C.	10/28/1999	\$ 362.50	81	\$ 4.48	41	\$ 0.67	\$ 54.65	\$ 105.58	
Carrasquillo, Juan C.	11/04/1999	\$ 135.00	81	\$ 1.67	41	\$ 3.48	\$ 282.15	\$ 105.58	
							\$ 917.55	\$ 876.13	\$ 1,793.68
Colon, Adam	09/16/1999	\$ 226.75	64	\$ 3.54	24	\$ 1.61	\$ 102.85	\$ 61.80	
Colon, Adam	09/23/1999	\$ 358.00	64	\$ 5.59	24		-	\$ 67.08	
Colon, Adam	09/30/1999	\$ 337.50	64	\$ 5.27	24		-	\$ 63.24	
Colon, Adam	10/07/1999	\$ 371.25	64	\$ 5.80	24		-	\$ 69.60	
Colon, Adam	10/14/1999	\$ 535.75	64	\$ 8.37	24		-	\$ 100.44	
Colon, Adam	10/21/1999	\$ 301.75	64	\$ 4.71	24	\$ 0.44	\$ 27.85	\$ 61.80	
Colon, Adam	10/28/1999	\$ 464.00	64	\$ 7.25	24		-	\$ 87.00	
Colon, Adam	11/04/1999	\$ 227.50	64	\$ 3.55	24	\$ 1.60	\$ 102.10	\$ 61.80	
Colon, Adam	11/11/1999	\$ 292.25	64	\$ 4.57	24	\$ 0.58	\$ 37.35	\$ 61.80	
Colon, Adam	11/18/1999	\$ 345.25	64	\$ 5.39	24		-	\$ 64.68	
Colon, Adam	11/24/1999	\$ 425.75	64	\$ 6.65	24		-	\$ 79.80	
Colon, Adam	12/02/1999	\$ 361.00	64	\$ 5.64	24		-	\$ 67.68	
Colon, Adam	12/09/1999	\$ 251.00	64	\$ 3.92	24	\$ 1.23	\$ 78.60	\$ 61.80	
Colon, Adam	12/16/1999	\$ 465.50	64	\$ 7.27	24		-	\$ 87.24	
Colon, Adam	12/23/1999	\$ 115.00	64	\$ 1.80	24	\$ 3.35	\$ 214.60	\$ 61.80	
Colon, Adam	12/30/1999	\$ 367.25	64	\$ 5.74	24		-	\$ 68.88	
Colon, Adam	01/06/2000	\$ 228.00	64	\$ 3.56	24	\$ 1.59	\$ 101.60	\$ 61.80	
Colon, Adam	01/13/2000	\$ 238.00	64	\$ 3.72	24	\$ 1.43	\$ 91.60	\$ 61.80	
							\$ 756.55	\$ 1,250.04	\$ 2,006.59

Colon, Jose	12/16/1999	\$ 187.50	58	\$ 3.23	18	\$ 1.92	\$ 111.36	\$ 46.35	
Colon, Jose	12/23/1999	\$ 187.50	58	\$ 3.23	18	\$ 1.92	\$ 111.36	\$ 46.35	
Colon, Jose	12/30/1999	\$ 187.50	58	\$ 3.23	18	\$ 1.92	\$ 111.36	\$ 46.35	
Colon, Jose	01/06/2000	\$ 211.50	58	\$ 3.65	18	\$ 1.50	\$ 87.20	\$ 46.35	
							\$ 421.28	\$ 185.40	\$ 606.68
Fuentes, Carmelo	11/11/1999	\$ 162.00	58	\$ 2.79	18	\$ 2.36	\$ 136.70	\$ 46.35	
Fuentes, Carmelo	11/18/1999	\$ 301.75	58	\$ 5.20	18		-	\$ 46.35	
Fuentes, Carmelo	11/24/1999	\$ 206.25	58	\$ 3.56	18	\$ 1.59	\$ 92.45	\$ 46.35	
Fuentes, Carmelo	12/02/1999	\$ 216.25	58	\$ 3.73	18	\$ 1.42	\$ 82.45	\$ 46.35	
Fuentes, Carmelo	12/09/1999	\$ 153.78	58	\$ 2.65	18	\$ 2.50	\$ 144.92	\$ 46.35	
Fuentes, Carmelo	12/16/1999	\$ 264.50	58	\$ 4.56	18	\$ 0.59	\$ 34.20	\$ 46.35	
Fuentes, Carmelo	12/23/1999	\$ 231.25	58	\$ 3.99	18	\$ 1.16	\$ 67.45	\$ 46.35	
							\$ 558.17	\$ 324.45	\$ 882.62
Ramos, Ivan	11/11/1999	\$ 313.00	58	\$ 5.40	18			\$ 48.60	
Ramos, Ivan	11/18/1999	\$ 291.50	58	\$ 5.03	18	\$ 0.12	\$ 7.20	\$ 46.35	
Ramos, Ivan	11/24/1999	\$ 285.00	58	\$ 4.91	18	\$ 0.24	\$ 13.70	\$ 46.35	
Ramos, Ivan	12/02/1999	\$ 280.00	58	\$ 4.83	18	\$ 0.32	\$ 18.70	\$ 46.35	
							\$ 39.60	\$ 187.65	\$ 227.25
Reyes, Heriberto	09/16/1999	\$ 423.75	74	\$ 5.73	34		-	\$ 97.41	
Reyes, Heriberto	09/23/1999	\$ 322.25	74	\$ 4.35	34	\$ 0.80	\$ 58.85	\$ 87.55	
Reyes, Heriberto	09/30/1999	\$ 456.75	74	\$ 6.17	34		-	\$ 104.89	
Reyes, Heriberto	10/07/1999	\$ 283.75	74	\$ 3.83	34	\$ 1.32	\$ 97.35	\$ 87.55	
Reyes, Heriberto	10/14/1999	\$ 434.75	74	\$ 5.88	34		-	\$ 99.96	
Reyes, Heriberto	10/21/1999	\$ 422.50	74	\$ 5.71	34		-	\$ 97.07	
Reyes, Heriberto	10/28/1999	\$ 532.00	74	\$ 7.19	34		-	\$ 122.23	
Reyes, Heriberto	11/04/1999	\$ 572.25	74	\$ 7.73	34		-	\$ 131.41	
Reyes, Heriberto	11/11/1999	\$ 478.75	74	\$ 6.47	34		-	\$ 109.99	
Reyes, Heriberto	11/18/1999	\$ 314.25	74	\$ 4.25	34	\$ 0.91	\$ 67.34	\$ 87.55	
Reyes, Heriberto	11/24/1999	\$ 366.75	74	\$ 4.96	34	\$ 0.19	\$ 14.35	\$ 87.55	
Reyes, Heriberto	12/02/1999	\$ 207.50	74	\$ 2.80	34	\$ 2.35	\$ 173.60	\$ 87.55	
Reyes, Heriberto	12/09/1999	\$ 382.50	74	\$ 5.17	34		-	\$ 87.89	

Reyes, Heriberto	12/16/1999	\$ 540.50	74	\$ 7.30	34	\$ -	\$ -	\$ 124.10	
Reyes, Heriberto	12/23/1999	\$ 401.25	74	\$ 5.42	34	\$ -	\$ -	\$ 92.14	
Reyes, Heriberto	12/30/1999	\$ 446.50	74	\$ 6.03	34	\$ -	\$ -	\$ 102.51	
Reyes, Heriberto	01/06/2000	\$ 266.00	74	\$ 3.59	34	\$ 1.56	\$ 115.10	\$ 87.55	
Reyes, Heriberto	01/13/2000	\$ 193.00	74	\$ 2.61	34	\$ 2.54	\$ 188.10	\$ 87.55	
						\$ 714.69	\$ 1,782.45	\$ 2,497.14	
Reyes, Javier	09/16/1999	\$ 555.00	67	\$ 8.28	27	\$ -	\$ -	\$ 111.78	
Reyes, Javier	09/23/1999	\$ 247.50	67	\$ 3.69	27	\$ 1.46	\$ 97.55	\$ 69.53	
Reyes, Javier	09/30/1999	\$ 299.00	67	\$ 4.46	27	\$ 0.69	\$ 46.05	\$ 69.53	
Reyes, Javier	10/07/1999	\$ 223.25	67	\$ 3.33	27	\$ 1.82	\$ 121.80	\$ 69.53	
Reyes, Javier	10/14/1999	\$ 476.75	67	\$ 7.12	27	\$ -	\$ -	\$ 96.12	
Reyes, Javier	10/21/1999	\$ 353.75	67	\$ 5.28	27	\$ -	\$ -	\$ 71.28	
Reyes, Javier	10/28/1999	\$ 476.25	67	\$ 7.11	27	\$ -	\$ -	\$ 95.99	
Reyes, Javier	11/04/1999	\$ 553.50	67	\$ 8.26	27	\$ -	\$ -	\$ 111.51	
Reyes, Javier	11/11/1999	\$ 341.00	67	\$ 5.09	27	\$ 0.06	\$ 4.05	\$ 69.53	
Reyes, Javier	11/18/1999	\$ 312.75	67	\$ 4.67	27	\$ 0.48	\$ 32.30	\$ 69.53	
Reyes, Javier	11/24/1999	\$ 308.00	67	\$ 4.60	27	\$ 0.55	\$ 37.05	\$ 69.53	
Reyes, Javier	12/02/1999	\$ 266.25	67	\$ 3.97	27	\$ 1.18	\$ 78.80	\$ 69.53	
Reyes, Javier	12/09/1999	\$ 328.25	67	\$ 4.90	27	\$ 0.25	\$ 16.80	\$ 69.53	
Reyes, Javier	12/16/1999	\$ 258.75	67	\$ 3.86	27	\$ 1.29	\$ 86.30	\$ 69.53	
Reyes, Javier	12/23/1999	\$ 313.75	67	\$ 4.68	27	\$ 0.47	\$ 31.30	\$ 69.53	
Reyes, Javier	12/30/1999	\$ 278.50	67	\$ 4.16	27	\$ 0.99	\$ 66.55	\$ 69.53	
Reyes, Javier	01/06/2000	\$ 228.50	67	\$ 3.41	27	\$ 1.74	\$ 116.55	\$ 69.53	
Reyes, Javier	01/13/2000	\$ 137.50	67	\$ 2.05	27	\$ 3.10	\$ 207.55	\$ 69.53	
Reyes, Javier	01/20/2000	\$ 193.00	67	\$ 2.88	27	\$ 2.27	\$ 152.05	\$ 69.53	
Reyes, Javier	01/27/2000	\$ 367.00	67	\$ 5.48	27	\$ -	\$ -	\$ 73.98	
Reyes, Javier	02/04/2000	\$ 291.00	67	\$ 4.34	27	\$ 0.81	\$ 54.05	\$ 69.53	
Reyes, Javier	02/10/2000	\$ 480.50	67	\$ 7.17	27	\$ -	\$ -	\$ 96.80	
						\$ 1,148.75	\$ 1,700.34	\$ 2,849.09	
Rosado, Efrain	09/16/1999	\$ 269.75	72	\$ 3.75	32	\$ 1.40	\$ 101.05	\$ 82.40	
Rosado, Efrain	09/23/1999	\$ 289.25	72	\$ 4.02	32	\$ 1.13	\$ 81.55	\$ 82.40	
Rosado, Efrain	09/30/1999	\$ 225.00	72	\$ 3.13	32	\$ 2.03	\$ 145.80	\$ 82.40	
Rosado, Efrain	10/07/1999	\$ 222.00	72	\$ 3.08	32	\$ 2.07	\$ 148.80	\$ 82.40	

Rosado, Efrain	10/14/1999	\$ 229.25	72	\$ 3.18	32	\$ 1.97	\$ 141.55	\$ 82.40	
Rosado, Efrain	10/21/1999	\$ 364.50	72	\$ 5.06	32	\$ 0.09	\$ 6.30	\$ 82.40	
Rosado, Efrain	10/28/1999	\$ 301.25	72	\$ 4.18	32	\$ 0.97	\$ 69.55	\$ 82.40	
Rosado, Efrain	11/04/1999	\$ 253.50	72	\$ 3.52	32	\$ 1.63	\$ 117.30	\$ 82.40	
Rosado, Efrain	11/11/1999	\$ 424.25	72	\$ 5.89	32			\$ 94.24	
Rosado, Efrain	11/18/1999	\$ 284.50	72	\$ 3.95	32	\$ 1.20	\$ 86.30	\$ 82.40	
Rosado, Efrain	11/24/1999	\$ 349.75	72	\$ 4.86	32	\$ 0.29	\$ 21.05	\$ 82.40	
Rosado, Efrain	12/02/1999	\$ 198.75	72	\$ 2.76	32	\$ 2.39	\$ 172.05	\$ 82.40	
Rosado, Efrain	12/09/1999	\$ 234.75	72	\$ 3.26	32	\$ 1.89	\$ 136.05	\$ 82.40	
Rosado, Efrain	12/16/1999	\$ 457.75	72	\$ 6.36	32			\$ 101.76	
Rosado, Efrain	12/23/1999	\$ 194.00	72	\$ 2.69	32	\$ 2.46	\$ 176.80	\$ 82.40	
Rosado, Efrain	12/30/1999	\$ 203.25	72	\$ 2.82	32	\$ 2.33	\$ 167.55	\$ 82.40	
Rosado, Efrain	01/06/2000	\$ 204.00	72	\$ 2.83	32	\$ 2.32	\$ 166.80	\$ 82.40	
Rosado, Efrain	01/13/2000	\$ 220.00	72	\$ 3.06	32	\$ 2.09	\$ 150.80	\$ 82.40	
Rosado, Efrain	01/20/2000	\$ 317.25	72	\$ 4.41	32	\$ 0.74	\$ 53.55	\$ 82.40	
Rosado, Efrain	01/27/2000	\$ 404.75	72	\$ 5.62	32			\$ 89.92	
Rosado, Efrain	02/04/2000	\$ 328.00	72	\$ 4.56	32	\$ 0.59	\$ 42.80	\$ 82.40	
Rosado, Efrain	02/10/2000	\$ 234.75	72	\$ 3.26	32	\$ 1.89	\$ 136.05	\$ 82.40	
							\$ 2,121.70	\$ 1,851.52	\$ 3,973.22
Santos, Jose	09/16/1999	\$ 325.00	71	\$ 4.58	31	\$ 0.57	\$ 40.65	\$ 79.83	
Santos, Jose	09/23/1999	\$ 374.25	71	\$ 5.27	31			\$ 81.69	
Santos, Jose	09/30/1999	\$ 373.00	71	\$ 5.25	31			\$ 81.38	
Santos, Jose	10/07/1999	\$ 396.00	71	\$ 5.58	31			\$ 86.49	
Santos, Jose	10/14/1999	\$ 585.00	71	\$ 8.24	31			\$ 127.72	
Santos, Jose	10/21/1999	\$ 557.50	71	\$ 7.85	31			\$ 121.68	
Santos, Jose	10/28/1999	\$ 459.00	71	\$ 6.46	31			\$ 100.13	
Santos, Jose	11/04/1999	\$ 760.00	71	\$ 10.70	31			\$ 165.85	
Santos, Jose	11/11/1999	\$ 518.00	71	\$ 7.30	31			\$ 113.15	
Santos, Jose	11/18/1999	\$ 355.00	71	\$ 5.00	31	\$ 0.15	\$ 10.65	\$ 79.83	
Santos, Jose	11/24/1999	\$ 445.25	71	\$ 6.27	31			\$ 97.19	
Santos, Jose	12/02/1999	\$ 272.50	71	\$ 3.84	31	\$ 1.31	\$ 93.15	\$ 79.83	
Santos, Jose	12/09/1999	\$ 325.25	71	\$ 4.58	31	\$ 0.57	\$ 40.40	\$ 79.83	
Santos, Jose	12/16/1999	\$ 626.75	71	\$ 8.83	31			\$ 136.87	



Santos, Jose	12/23/1999	\$ 448.00	71	\$ 6.31	31	\$ -	\$ 97.81	
Santos, Jose	12/30/1999	\$ 544.25	71	\$ 7.67	31	\$ -	\$ 118.89	
Santos, Jose	01/06/2000	\$ 226.00	71	\$ 3.18	31	\$ 139.65	\$ 79.83	
Santos, Jose	01/13/2000	\$ 139.50	71	\$ 1.96	31	\$ 226.15	\$ 79.83	
Santos, Jose	01/20/2000	\$ 307.50	71	\$ 4.33	31	\$ 58.15	\$ 79.83	
Santos, Jose	01/27/2000	\$ 607.00	71	\$ 8.55	31	\$ -	\$ 132.53	
Santos, Jose	02/04/2000	\$ 378.50	71	\$ 5.33	31	\$ -	\$ 82.62	
Santos, Jose	02/10/2000	\$ 694.00	71	\$ 9.77	31	\$ -	\$ 151.44	
						\$ 608.80	\$ 2,254.22	\$ 2,863.02
Torres, Miguel	09/16/1999	\$ 371.25	80	\$ 4.64	40	\$ 40.75	\$ 103.00	
Torres, Miguel	09/23/1999	\$ 368.00	80	\$ 4.60	40	\$ 44.00	\$ 103.00	
Torres, Miguel	09/30/1999	\$ 366.75	80	\$ 4.58	40	\$ 45.25	\$ 103.00	
Torres, Miguel	10/07/1999	\$ 230.00	80	\$ 2.88	40	\$ 182.00	\$ 103.00	
Torres, Miguel	10/14/1999	\$ 638.00	80	\$ 7.98	40	\$ -	\$ 159.60	
Torres, Miguel	10/21/1999	\$ 433.75	80	\$ 5.42	40	\$ -	\$ 103.00	
Torres, Miguel	10/28/1999	\$ 411.25	80	\$ 5.14	40	\$ 0.01	\$ 103.00	
Torres, Miguel	11/04/1999	\$ 299.25	80	\$ 3.74	40	\$ 1.41	\$ 103.00	
Torres, Miguel	11/11/1999	\$ 305.00	80	\$ 3.81	40	\$ 1.34	\$ 103.00	
Torres, Miguel	11/18/1999	\$ 436.50	80	\$ 5.46	40	\$ -	\$ 109.20	
Torres, Miguel	11/24/1999	\$ 361.50	80	\$ 4.52	40	\$ 0.63	\$ 103.00	
Torres, Miguel	12/02/1999	\$ 419.25	80	\$ 5.24	40	\$ -	\$ 104.80	
Torres, Miguel	12/09/1999	\$ 393.50	80	\$ 4.92	40	\$ 0.23	\$ 103.00	
Torres, Miguel	12/16/1999	\$ 614.25	80	\$ 7.68	40	\$ -	\$ 153.60	
Torres, Miguel	12/23/1999	\$ 329.25	80	\$ 4.12	40	\$ 82.75	\$ 103.00	
Torres, Miguel	12/30/1999	\$ 451.75	80	\$ 5.65	40	\$ -	\$ 113.00	
Torres, Miguel	01/06/2000	\$ 217.50	80	\$ 2.72	40	\$ 194.50	\$ 103.00	
Torres, Miguel	01/13/2000	\$ 239.00	80	\$ 2.99	40	\$ 173.00	\$ 103.00	
Torres, Miguel	01/20/2000	\$ 339.25	80	\$ 4.24	40	\$ 0.91	\$ 103.00	
Torres, Miguel	01/27/2000	\$ 438.00	80	\$ 5.48	40	\$ -	\$ 109.60	
Torres, Miguel	02/04/2000	\$ 299.50	80	\$ 3.74	40	\$ 112.50	\$ 103.00	
Torres, Miguel	02/10/2000	\$ 574.00	80	\$ 7.18	40	\$ 1,237.00	\$ 143.60	
						\$ 8,524.09	\$ 2,438.40	\$ 3,675.40
						\$ 12,850.60	\$ 21,374.69	